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November 20, 2006

VIA FACSIMILE

**MAIL STOP 16**

Director of the U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Subject: **REQUEST FOR REFUND TO DEPOSIT ACCOUNT**

Deposit Account No. 14-1140  
Statement Date: November 2, 2006  
Date Posted: October 18, 2006  
SEQ No.: 1  
Fee Code: 1253  
USPTO Ref.: 09/604,082  
Our Ref.: 4380-107 WFG

To whom it may concern:

Regarding the Monthly Statement of Deposit Account dated November 2, 2006, (copy attached), we believe there is a fee related error therein, which has resulted in an overcharge to our Deposit Account. Please refer to the following explanation and issue a refund as soon as possible.

The Amendment filed October 11, 2006, (copy attached) included an authorization to charge the Small Entity Extension of Time fee to our Deposit Account No. 14-1140. The Three-Month Extension of Time fee was charged to our Deposit Account for the above-referenced application, however, the fee was incorrectly entered as "Large Entity" and a charge of \$980.00 (Fee Code: 1253) was assessed. The correct charge to the Deposit Account should be \$510.00 (Fee Code: 2253; Three-Month Extension of Time fee for "Small Entity"). A prompt refund is respectfully requested in the amount of \$470.00.

Thank you for your time and assistance, and if you have any questions, please do not hesitate to call me at the above number.

Very truly yours,

NIXON & VANDERHYE P.C.

By:

  
Willem F. Gadiano

WFG:ewm  
Enclosures

1140923

NIXON & VANDERHYE PC Fax: 703-816-4100  
Deposit Account Statement

Nov 20 2006 17:06

P.03  
Page 4 of 5

|            |                |                            |      |            |            |
|------------|----------------|----------------------------|------|------------|------------|
| 10/17 11   | 77021830       | 35-305 DJB                 | 7001 | \$650.00   | \$38.37    |
| 10/17 1    | 10504708       | 4295-10 } LSN              | 1806 | \$180.00   | \$38.19    |
| 10/17 2    | 10504708       | 4295-10 } LSN              | 1202 | \$300.00   | \$37.89    |
| 10/17 1228 | 77022304       | 3184 289 FPP               | 7001 | \$325.00   | \$37.57    |
| 10/17 226  | 10528928       | 1035 554 DMB               | 1401 | \$500.00   | \$37.97    |
| 10/18 238  | 2421813        | FPP 3969-2                 | 8521 | \$40.00    | \$37.03    |
| 10/18 1508 | 77023541       | 2193 140 DJB               | 7001 | \$325.00   | \$36.78    |
| 10/18 1595 | 77023538       | 336 47 DJB                 | 7001 | \$325.00   | \$36.88    |
| 10/18 2203 | 77023803       | 2449 DMB                   | 7001 | \$325.00   | \$36.85    |
| 10/18 1    | 09604082*      | 45112-889 4380-107 WFM 253 | 7001 | \$980.00   | \$35.07    |
| 10/18 2219 | 77023803       | 1037 3 FPP                 | 7001 | \$325.00   | \$34.75    |
| 10/18 2325 | 77023864       | 3184 277 FPP               | 7007 | \$275.00   | \$34.47    |
| 10/18 2344 | 77023869       | 3184 276 FPP               | 7007 | \$275.00   | \$34.20    |
| 10/19 28   | 10333469       | 540 425 } SCS              | 1401 | \$500.00   | \$33.70    |
| 10/19 29   | 10333469       | 540 425 } SCS              | 1251 | \$120.00   | \$33.58    |
| 10/19 1910 | 77024738       | 4985 2 FPP                 | 7001 | \$650.00   | \$32.93    |
| 10/20 20   | 10501867       | 540 513 } SCS              | 1401 | \$500.00   | \$32.49    |
| 10/20 21   | 10501867       | 540 513 } SCS              | 1251 | \$120.00   | \$32.91    |
| 10/20 6    | 11529277       | 925 355 HWB                | 1203 | \$360.00   | \$31.95    |
| 10/20 2109 | 11568129       | 30 582 } JHN               | 1631 | \$300.00   | \$31.66    |
| 10/20 2110 | 11568129       | 30 582 } JHN               | 1642 | \$400.00   | \$31.25    |
| 10/20 2411 | 11568129       | 30 582 } JHN               | 1633 | \$200.00   | \$31.85    |
| 10/20 128  | 10282988       | 249-281 ARC                | 1463 | \$70.00    | \$30.98    |
| 10/23 10   | 10570164       | 4579-9 } ML                | 2633 | \$100.00   | \$30.88    |
| 10/23 11   | 10570164       | 4579-9 } ML                | 2641 | \$50.00    | \$30.83    |
| 10/23 7    | 10521811       | 3687-104 } GRT             | 1201 | \$200.00   | \$30.63    |
| 10/23 8    | 10521811       | 3687-104 } GRT             | 1202 | \$100.00   | \$30.53    |
| 10/23 387  | 11568129       | 30 582 JHN                 | 8021 | \$40.00    | \$30.49    |
| 10/24 537  | 77027279       | 1967 42 DJB                | 7001 | \$325.00   | \$30.16    |
| 10/24 1    | 10581607       | 61192 LCM                  | 1615 | \$250.00   | \$29.91    |
| 10/24 2    | 10581607       | 61192 LCM                  | 1616 | \$360.00   | \$29.55    |
| 10/24 8    | 11473313       | 4472-133 LSN               | 1202 | \$350.00   | \$29.20    |
| 10/24 1027 | 2398302        | 551 54 } FPP               | 7205 | \$100.00   | \$29.10    |
| 10/24 1820 | 2398302        | 551 54 } FPP               | 7200 | \$200.00   | \$28.98    |
| 10/25 8    | 77028926       | 4839 7 JAR FPP             | 7001 | \$1,300.00 | \$27.60    |
| 10/25 32   | 6861554        | 2818-128 ARC               | 8021 | \$40.00    | \$27.64    |
| 10/25 3    | 10556900       | 687-139 LCM                | 1616 | \$360.00   | \$27.28    |
| 10/25 4    | 10556900       | 687-139 LCM                | 1615 | \$350.00   | \$26.93    |
| 10/25 45*  | 2969200 DMB    | 2-366                      | 8521 | \$40.00    | \$26.89    |
| 10/25 1    | 11261597       | 4380-192 WFG               | 2253 | \$530.00   | \$26.36 OK |
| 10/25 9    | 11543166       | 2018-1494 LSN              | 1081 | \$250.00   | \$26.11    |
| 10/25 129  | 10343863 * GRT | 251502008000 4662-337      | 1463 | \$70.00    | \$26.04    |
| 10/26 1    | 11410252       | 4750-40 } PTB              | 1201 | \$400.00   | \$25.64    |
| 10/26 2    | 11410252       | 4750-40 } PTB              | 1202 | \$200.00   | \$25.44    |
| 10/26 37   | 10980806       | 1767 130 WJS               | 1253 | \$1,020.00 | \$24.42    |
| 10/26 1217 | 77029629       | 35-301 DJB                 | 7001 | \$325.00   | \$24.10    |
| 10/26 198  | 70669056       | 4446 74 DMB                | 6402 | \$300.00   | \$23.80    |
| 10/27 1    | 10549167       | 2590-135 DMB               | 1251 | \$120.00   | \$23.68    |

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I hereby certify that this document (including any paper referred to as being attached or enclosed) is being sent to the U.S. Patent and Trademark Office via facsimile transmission to (571) 273-8300 on the date indicated below, with a coversheet addressed to Commissioner for Patents, U.S. Patent and Trademark Office.

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By:

October 11, 2006  
William F. Gadiano, Reg. No. 37,136

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BESSETTE et al.

Atty. Ref.: 4380-107; Confirmation No. 4329

Appl. No. 09/604,082

TC/A.U. 1651

Filed: June 27, 2000

Examiner: Afremova, Vera

For: PESTICIDAL COMPOSITIONS CONTAINING ROSEMARY OIL

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

AMENDMENT

This paper is being filed in response to an Office Action dated April 11, 2006. Please  
→ grant a three-month extension of time for entry of this communication. Please charge the small  
entity extension of time fee to Deposit Account No. 14-1140. Please amend the above-captioned  
patent application, as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2.

Remarks/Arguments begin on page 4.

Day : Monday  
Date: 11/20/2006

Time: 17:22:28

**PALM INTRANET****Application Number Information**

Application Number: 09/604082

**Assignments**

Filing or 371(c) Date: 06/27/2000

Effective Date: 06/27/2000

Application Received: 06/27/2000

Patent Number:

Issue Date: 00/00/0000

Date of Abandonment: 00/00/0000

Attorney Docket Number: 45112-089

Status: 71 /RESPONSE TO NON-FINAL OFFICE ACTION  
ENTERED AND FORWARDED TO EXAMINER

Confirmation Number: 4329

Title of Invention: PESTICIDAL COMPOSITIONS CONTAINING ROSEMARY OIL

Examiner Number: 74551 / AFREMOVA, VERA

Group Art Unit: 1657

Class/Subclass:

424/745.000

Lost Case: NO

Interference Number:

Unmatched Petition: NO

L&amp;R Code: Secrecy Code:1

Third Level Review: NO

Oral Hearing: NO

IFW IMAGE

Waiting for Response  
Desc.**Prior Art Filed**

Secrecy Order: NO

Status Date: 10/18/2006

|          |               |               |               |                |               |          |
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| Bar Code | PALM Location | Location Date | Charge to Loc | Charge to Name | Employee Name | Location |
|----------|---------------|---------------|---------------|----------------|---------------|----------|

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WRITER'S DIRECT DIAL NUMBER:  
(703) 816-4057**FACSIMILE COVER SHEET**  
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Your Ref.: 09/604,082

Date:

November 20, 2005

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From: Willem F. Gadiano

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ewm

FACSIMILE OPERATOR

## ATTACHMENT/S:

1. Request for Refund to Deposit Account;
2. Copy of page 4 of 11/2/06 Deposit Account Statement;
3. Copy of first page of Amendment dated October 11, 2006.

**MESSAGE: PLEASE SEE ATTACHED.****CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information belonging to Nixon & Vanderhye, which is confidential and/or legally privileged. This information is only intended for the use of the individual or entity named above. IF YOU ARE NOT THE NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR TAKING OF THIS INFORMATION FOR ANY USE WHATSOEVER IS STRICTLY PROHIBITED. If you have received this facsimile in error, please immediately contact us by telephone to arrange for return of the original documents to us.

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